



# Bulletin

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2006-03B

TO: Assessors, Collectors and Treasurers

FROM: Gerard D. Perry, Deputy Commissioner  
Division of Local Services

DATE: February 2006

SUBJECT: Clause 41A Deferral Forms

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This *Bulletin* provides you with revised forms approved by the Commissioner of Revenue under G.L. Ch. 58 §3. These forms are for use in administering the property tax deferral for seniors under G.L. Ch. 59 §5(41A), which was recently amended to allow cities and towns to reduce the interest rate that accrues on deferred taxes beginning in fiscal year 2007. See Bureau of Municipal Finance Law Informational Guideline Release No. 06-201, *Property Tax Deferral for Seniors* (February 2006).

There is a series of five state tax forms for assessors, collectors and treasurers to use for Clause 41A senior deferrals. These forms are:

- [Deferral Application](#) (State Tax Form 97).
- [Deferral and Recovery Agreement](#) (State Tax Form 97-1).
- [Statement of Entry into Deferral and Recovery Agreement](#) (State Tax Form 97-2).
- [Deferral Certificate](#) (State Tax Form 97-3).
- [Release of Rights under Deferral and Recovery Agreement](#) (State Tax Form 97-4).

The attached chart describes revisions made to three of those forms: the deferral application (State Tax Form 97), deferral and recovery agreement (State Tax Form 97-1) and deferral certificate (State Tax Form 97-3). These revised forms must be used beginning in FY07. The statement of entry into deferral and recovery agreement (State Tax Form 97-2) and release of rights under the agreement (State Tax Form 97-4) were revised in April 2004. See Bulletin 2006-09B, *Deferral Forms* (April 2004).

As usual, you may decide with your vendor the size and color, as well as the typeset and spacing, for the forms. You may also adapt the format as needed to generate or provide the forms electronically. The size and spacing shown in the return result from our technical limitations and are not intended to prevent you or your vendor from developing a hard copy or computerized format that better suits your needs. In developing your format, the primary consideration should be ease of use by taxpayers and users.

If you have any questions, please contact the Bureau of Municipal Finance Law staff at 617-626-2400.

## FEBRUARY 2006 FORM REVISIONS

### CLAUSE 41A DEFERRALS

FORM NAME	NUMBER	PREPARER	RECIPIENT	LAST REVISED	REVISIONS
<a href="#"><u>Application for Senior Property Tax Deferral</u></a>	State Tax Form 97	Taxpayer	Assessors	8/94	<ul style="list-style-type: none"> <li>• <u>Section A</u> – Revised next to last question by adding “(MA or other)” after city or town.</li> <li>• <u>Section C – Gross Receipts</u> – Added “, and other documentation,” after “federal and state income tax returns.”</li> <li>• <u>Section C – Gross Receipts</u> – Revised “Net Profits” line to include property rental and “Other Receipts” line to show other examples.</li> <li>• <u>Taxpayer Information</u> – Revised to reflect possible local option reducing interest rate (Personal Exemptions) and “postmark” rule for applications received after filing deadline (Where and When Application Must Be Filed).</li> </ul>
<a href="#"><u>Tax Deferral and Recovery Agreement</u></a>	State Tax Form 97-1	Taxpayer	Assessors	8/94	<ul style="list-style-type: none"> <li>• <u>Deferral Coverage</u> – Revised to state the first year of taxes covered by the deferral agreement (Witnesseth).</li> <li>• <u>Interest Rate</u> – Revised to reflect possible local option reducing interest rate (No. 1)</li> <li>• <u>Approvers</u> – Revised to reflect those with legal interest must approve agreement (No. 5 and Schedule A)</li> <li>• <u>Acknowledgement</u> - Revised to reflect standards for notaries public (Executive Order 455 (03-13))</li> </ul>
<a href="#"><u>Property Tax Deferral Certificate</u></a>	State Tax Form 97-3	Assessors	Taxpayer Collector	2/99	<ul style="list-style-type: none"> <li>• <u>Interest Rate</u> – Revised to show interest rate that applies to taxes deferred for the particular fiscal year.</li> <li>• <u>Appeal</u> – Revised to remove reference to County Commissioners where county government is abolished.</li> </ul>